

97 - DOE - follow-up

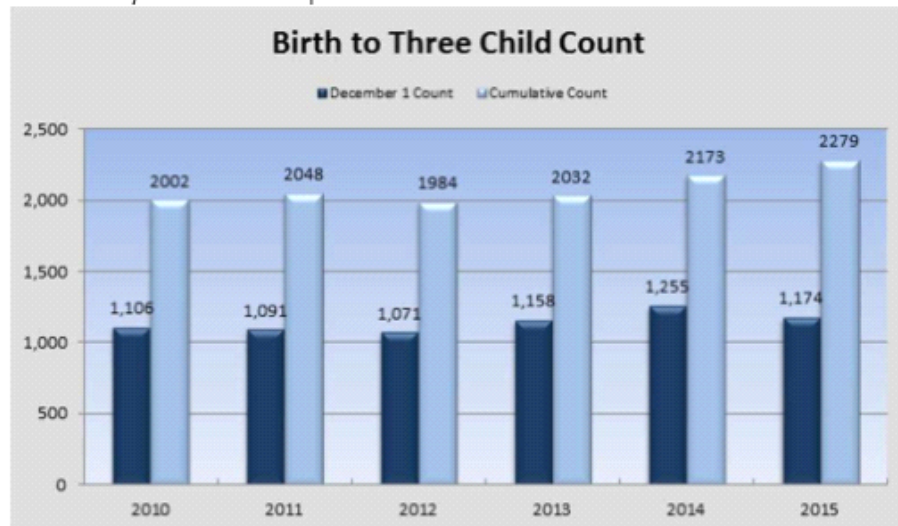
Wednesday, February 24, 2016  
8:08 PM

## Department of Education Responses to Joint Appropriations Committee Question

1. A request for the graduation rates was made by Representative Anderson.
  - a. The statewide graduation rates for school year 2010-11 through 2014-15 are shown below.

2010/11	2011/12	2012/13	2013/14	2014/15
83.4%	83.3%	82.3%	82.7%	83.9%

2. A request regarding how many cents of every tax dollar would go to education under the Governor's teacher pay plan proposal was made by Senator Omdahl.
  - a. Original FY2017 Budget – 30 cents  
With Governor's Recommended Teacher Pay Plan Recommendation – 34 cents  
This only includes K-12 education and state aid
3. A request for a list of schools participating in dual credit program was made by Senator White
  - a. See Attachment A
4. A request for the amount of federal funds received and amount spent for the national school lunch program – revenue and expenditures by sources was made by Representative Romkema.
  - a. See Attachment B
5. A request for the number of children served in the Birth to Three program from 2012 to 2015 was made by Senator Van Gerpen.



6. A request for a summary of controls put into place by the Birth to Three program for savings and efficiencies was requested by Representative Hunhoff.
  - a. Birth to Three is a federal program that is governed by federal rules and regulations. Any changes to the program must meet the federal and state rules and regulations. The federal regulations dictate any changes to states rules. Services received by children in South Dakota are specified in ARSD 24:14:08:20 (not an exhausted list.) This program is highly regulated by the federal Individuals with Disabilities Education Act (IDEA.) Any changes to the Birth to Three program must be approved by the federal Office of Special Education Programs, US Department of Education.

The appropriateness and frequency of services is determined by the IFSP team. The state cannot have any involvement in that determination due to federal rules and regulations. We can only provide training to the services coordinators on facilitation of an IFSP meeting.

The department began educating service coordinators in September of 2014 and direct service providers in December of 2015 bringing awareness of the changes that would be coming to the program and the financial situation of the program.

- One tool being used is the state K12 Blackboard Learn. DOE has established an online learning community. On this community site service coordinators and direct service providers have access to research, best practices, blogs, discussion boards and videos. Using this free medium Birth to Three is able to scale up and sustain training for all services coordinators and providers.
- Another tool is the face to face trainings. It has been able to bring service coordinators together for update on the Birth to Three program and also gives service coordinators an opportunity to share any best practices or knowledge sharing.
- Worked with the service coordinators to find time and cost savings according to federal rules and regulations.

New federal language is mandating change to the program. South Dakota will be meeting that change by using the evidenced based practice, Routines Based Interview and Family Guided Routines Based Intervention. This is to increase family engagement as we move towards parents becoming active participants in their child's early intervention. Iowa, North Dakota, and Nebraska are currently using this practice and have seen successes. In December 2015, the Birth to Three office provided notification to school districts and private providers of the Office of Special Education Programs (OSEP) new accountability framework. This framework raises the bar for state special education Part B, and Part C early intervention programs. It improves educational outcomes for America's 6.5 million children and youth with disabilities and is a major shift in the way the US Department of Education oversees effectiveness of states' special education early intervention programs, or Birth to Three programs.

All facets of the South Dakota Birth to Three program are involved in the scaling-up of early intervention in our state. With stakeholder input, the state has analyzed infrastructure as well as selected evidence-based practices as outlined by OSEP. These practices which

include assessment, goal writing and instructional practices will include education and training for service coordinators, direct service providers and school districts who serve Birth to Three children

Tele-therapy is another option that has recently been introduced as a cost saving measure. This enables services to be provided virtually to the child and family. The current issue right now is the internet connection. A continuous high speed internet connection requires it to function as appropriate method to deliver the service. Another issue that has arisen is the platform in which to deliver the service. The platform has to be HIPPA and FERPA approved. The cost associated with the platform is financially out of our reach at this time.

DOE is implementing BDI2 training to insure the fidelity of the evaluators that conduct the evaluation.

7. A request on how families are billed and the insurance recovery process for the Birth to Three program was made by Senator Heineman.
  - a. South Dakota's federally approved system of payment state there is no charge to parents for Birth to Three services. Service providers request Medicaid and Private Insurance billing information but it can only be used with parental consent. Direct providers in 2008 were mandated by the state to bill Medicaid as long as they obtained parental consent. In the fall of 2014 trainings were conducted on how to bill private insurance if parental consent was obtained.
8. A request regarding the ability to do fee for service for the Birth to Three program was made by Senator Peters.
  - a. The short answer is that the federal program does allow for a system of payment. However, DOE is not prepared to implement a sliding scale fee schedule. A determination of rule changes, FTE capacity, federal system of payment (grant may become conditional), computer system changes, monitoring, and funding would be needed.

A system of payments, which can include parent fees, can be implemented as long as services are not denied to an eligible child based on the family's inability to pay for those services.

*24:14:04:04. Entitled services. The department may not charge fees for the services that a child is otherwise entitled to receive at no cost to parents. Agency jurisdictional disputes may not result in the denial of services to the child or the child's family.*

*Source: 20 SDR 223, effective July 7, 1994; 28 SDR 105, effective January 31, 2002; 35 SDR 82, effective October 22, 2008; 39 SDR 109, effective December 17, 2012.*

*General Authority: SDCL 13-37-1.1.*

*Law Implemented: SDCL 13-1-23, 13-14-1, 13-37-1.1.*

#### **§303.521 System of payments and fees.**

*General. A State may establish a system of payments consistent with §303.500(b), for early intervention. The State's system of payments policies must be in writing and specify which functions or services, if any, are subject to the system of payments*

*(including any fees charged to the family as a result of using one or more of the family's public insurance or benefits or private insurance).*

*1) The payment system and schedule of sliding or cost participation fees that may be charged to the parent for early intervention services under this part;*

*(2) The basis and amount of payments or fees;*

*(3) The State's definition of ability to pay (including its definition of income and family expenses, such as extraordinary medical expenses), its definition of inability to pay, and when and how the State makes its determination of the ability or inability to pay;*

*(4) An assurance that—(i) Fees will not be charged to parents for the services that a child is otherwise entitled to receive at no cost (including those services identified under paragraphs (a)(4)(ii), (b), and (c) of this section);*

*(ii) The inability of the parents of an infant or toddler with a disability to pay for services will not result in a delay or denial of services under this part to the child or the child's family such that, if the parent or family meets the State's definition of inability to pay, the infant or toddler with a disability must be provided all part C services at no cost.*

*(iii) Families will not be charged any more than the actual cost of the part C service (factoring in any amount received from other sources for payment for that service); and*

*(iv) Families with public insurance or benefits or private insurance will not be charged disproportionately more than families who do not have public insurance or benefits or private insurance;*

*(5) Provisions stating that the failure to provide the requisite income information and documentation may result in a charge of a fee on the fee schedule and specify the fee to be charged; and*

*(6) Provisions that permit, but do not require, the lead agency to use part C or other funds to pay for costs such as the premiums, deductibles, or co-payments.*

*(b) Functions not subject to fees. The following are required functions that must be carried out at public expense, and for which no fees may be charged to parents: (1) Implementing the child find requirements in §§303.301 through 303.303. (2) Evaluation and assessment, in accordance with §303.320, and the functions related to evaluation and assessment in §303.13(b). (3) Service coordination services, as defined in §§303.13(b)(11) and 303.33. (4) Administrative and coordinative activities related to - (i) The development, review, and evaluation of IFSPs and interim IFSPs in accordance with §§303.342 through 303.345; and (ii) Implementation of the procedural safeguards in subpart E of this part and the other components of the statewide system of early intervention services in subpart D of this part and this subpart.*

***(c) States with FAPE mandates, or that use funds under Part B of the Act to serve children under age three. If a State has in effect a State law requiring the provision of***

*FAPE for, or uses part B funds to serve, an infant or toddler with a disability under the age of three (or any subset of infants and toddlers with disabilities under the age of three), the State may not charge the parents of the infant or toddler with a disability for any services (e.g., physical or occupational therapy) under this part that are part of FAPE for that infant or toddler and the child's family, and those FAPE services must meet the requirements of both parts B and C of the Act.*

*SDCO 13-37-35.1 and 13-37-1.1 Reference Prolonged Assistance*

Concerns regarding family fees

- i. 48% of Birth to Three families are Medicaid eligible, so those families would be excluded from the family fee schedule based on income.
- ii. Families may deny the services their child needs when a fee is imposed, especially in difficult economic times. This would result in high costs to the state when the child comes into the school system at age 3, but has not had the benefit of critical early intervention services.
- iii. What sanctions exist when parent fees are not paid, and the IFSP must be fulfilled?
- iv. The administration of a fee schedule for families would include proof of income; a payment schedule for the family for the life of the IFSP; and a waiver process for families whose income meets the fee requirement but circumstances prevent the family from paying.
- v. A data system would have to be developed to track and process family fees
- vi. It is estimated it would take an additional one and a half FTE to administer a family fee system.

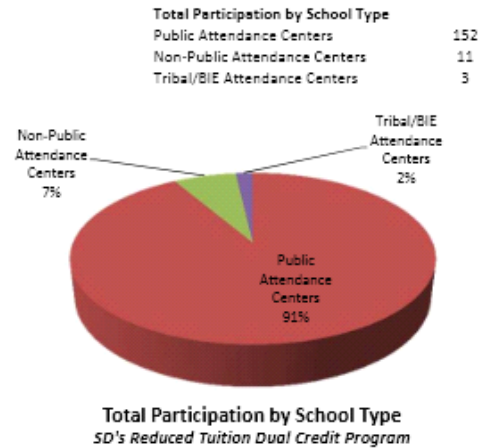
In conclusion, services would not be affected. What would be affected are DOE administrative costs. We don't see a cost savings in doing this. Best case scenario would be that the fees collected would be enough to cover the additional administrative costs. This should be considered very carefully and with full program and fiscal impact.

9. A request for the current number of reading coaches was made by Senator Heineman.
  - a. 9 Reading Coaches; 8 at ESA and 1 at a school district. They are not full time positions.
10. A request for the amount of additional purchases the department made for the Division of History was made by Senator Peters.
  - a. Diazo Duplicator - \$56,050
  - Roll Film Scanner - \$36,501
  - History Computer Upgrade - \$48,748
11. A request for the number of Jumpstart Scholarships was made by Representative Hunhoff.
  - a. 2015-2016 Academic Year - 5 Scholarships
  - b. 2014-2015 Academic Year - 13 Scholarships

SD schools who have participated in the reduced tuition dual credit program in one or more semesters since Fall 2014

NOTE: Home schooled students have participated in the program, but are not included on the list below.

School Name	School Type
Aberdeen Christian High School - 02	Non-Public
Aberdeen Roncalli High School - 01	Non-Public
Dakota Christian High School	Non-Public
Freeman Academy High School	Non-Public
Great Plains Lutheran High School - 01	Non-Public
Mitchell Christian High School - 02	Non-Public
O'Gorman High School - 01	Non-Public
Rapid City Christian High School - 02	Non-Public
Sioux Falls Christian High School - 01	Non-Public
St. Mary's High School - 02	Non-Public
St. Thomas More High School - 03	Non-Public
Aberdeen Central High School - 01	Public
Alcester-Hudson High School - 01	Public
Andes Central High School - 01	Public
Arlington High School - 01	Public
Armour High School - 01	Public
Avon High School - 01	Public
Baltic High School - 01	Public
Belle Fourche Education Connection - 09	Public
Belle Fourche High School - 01	Public
Bennett County High School - 01	Public
Beresford High School - 01	Public
Bison High School - 01	Public
Bon Homme High School - 01	Public
Bowdle High School - 01	Public
Brandon Valley High School - 01	Public
Bridgewater-Emery High School - 01	Public
Britton-Hecla High School - 01	Public
Brookings High School - 01	Public
Burke High School - 01	Public
Canistota High School - 01	Public
Canton High School - 01	Public
Castlewood High School - 01	Public
Centerville High School - 01	Public
Chamberlain High School - 01	Public
Chester High School - 01	Public
Clark High School - 01	Public
Colman-Egan High School - 01	Public
Colome High School - 01	Public
Corsica High School - 01	Public
Custer High School - 01	Public
Dakota Valley High School - 01	Public
De Smet High School - 01	Public
Dell Rapids High School - 01	Public
Deubrook High School - 01	Public
Deuel High School - 01	Public
Doland High School - 01	Public
Douglas High School - 03	Public
Dupree High School - 01	Public
Eagle Butte High School - 01	Public
Edmunds Central High School - 01	Public
Elk Point-Jefferson High School - 01	Public
Elkton High School - 01	Public
Estelline High School - 01	Public
Ethan High School - 01	Public
Faith High School - 01	Public
Faulkton High School - 01	Public
Flandreau High School - 01	Public
Florence High School - 01	Public
Frederick High School - 01	Public
Freeman High School - 01	Public
Garretson High School - 01	Public
Gayville-Volin High School - 01	Public
Gettysburg High School - 01	Public
Grant-Deuel High School - 01	Public



## Question 8 - Schools Participating in Dual Credit

## Attachment A

Gregory High School - 01	Public
Groton Area High School - 01	Public
Hamlin High School - 01	Public
Hanson High School - 01	Public
Harding County High School - 01	Public
Harrisburg High School - 01	Public
Henry High School - 01	Public
Herreid High School - 01	Public
Highmore High School - 01	Public
Hill City High School - 01	Public
Hitchcock-Tulare High School - 01	Public
Hot Springs High School - 01	Public
Hoven High School - 01	Public
Howard High School - 01	Public
Huron High School - 01	Public
Ipswich High School - 01	Public
Irene-Wakonda High School - 01	Public
Iroquois High School - 01	Public
Jones County High School - 01	Public
Kadoka Area High School - 01	Public
Kimball High School - 01	Public
Lake Preston High School - 01	Public
Lead-Deadwood Career & Technical Education - 10	Public
Lead-Deadwood High School - 01	Public
Lemmon High School - 01	Public
Lennox High School - 01	Public
Leola High School - 01	Public
Lyman High School - 01	Public
Madison High School - 01	Public
Marion High School - 01	Public
McCook Central High School - 01	Public
McIntosh High School - 01	Public
Menno High School - 01	Public
Millbank High School - 01	Public
Miller High School - 01	Public
Mitchell High School - 01	Public
Mobridge High School - 01	Public
Montrose High School - 01	Public
Mount Vernon High School - 01	Public
New Underwood High School - 01	Public
Newell High School - 01	Public
Northwestern High School - 01	Public
Oelrichs High School - 01	Public
Oldham-Ramona High School - 01	Public
Parker High School - 01	Public
Parkston High School - 01	Public
Philip High School - 01	Public
Pierre T.F. Riggs High School - 01	Public
Plankinton High School - 01	Public
Platte - Geddes High School - 01	Public
Rapid City Central High School - 41	Public
Rapid City High School - 45	Public
Rapid City Stevens High School - 42	Public
Redfield High School - 01	Public
Rosholt High School - 01	Public
Rutland High School - 01	Public
Sanborn Central High School - 01	Public
Scotland High School - 01	Public
Selby High School - 01	Public
Sioux Falls Community Campus - 41	Public
Sioux Falls CTE Academy - 37	Public
Sioux Falls Lincoln High School - 02	Public
Sioux Falls New Technology High School - 30	Public
Sioux Falls Roosevelt High School - 03	Public
Sioux Falls Summer School	Public
Sioux Falls Washington High School - 01	Public
Sioux Valley High School - 01	Public
Sisseton High School - 01	Public
South Central High School - 01	Public



Question 8 - Schools Participating in Dual Credit

Attachment A

Spearfish Black Hills Education Connections - 06	Public
Spearfish High School - 01	Public
Stanley County High School - 01	Public
Stickney High School - 01	Public
Sturgis Brown High School - 01	Public
Sully Buttes High School - 07	Public
Summit High School - 01	Public
Tea Area High School - 03	Public
Timber Lake High School - 01	Public
Tripp-Delmont High School - 01	Public
Tri-Valley High School - 01	Public
Vermillion High School - 01	Public
Viborg-Hurley High School - 01	Public
Wall High School - 01	Public
Warner High School - 01	Public
Watertown High School - 01	Public
Waubay High School - 01	Public
Waverly-South Shore High School - 01	Public
Webster Area High School - 01	Public
Wessington Springs High School - 01	Public
West Central High School - 01	Public
White Lake High School - 01	Public
White River High School - 01	Public
Willow Lake High School - 01	Public
Wilmot High School - 01	Public
Winner High School - 01	Public
Wolsey-Wessington High School - 01	Public
Woonsocket High School - 01	Public
Yankton High School - 01	Public
Little Wound High School - 01	Tribal/BIE
Marty High School - 02	Tribal/BIE
Tioga Zina High School - 02	Tribal/BIE

		Total
<b>General Funds</b>		<b>\$ 972,511.62</b>
<b>Federal Funds Revenue</b>		
007 Administrative Review and Training Method II	\$ 314,856.44	
015 Commodity Supplemental Food Program	\$ 270,153.99	
061 Equipment Grant	\$ 85,265.00	
070 Child Nutrition Direct Certification	\$ 193,531.92	
073 USDA TEAM Nutritional Competitive Grant	\$ 1,326.56	
079 Fresh Fruit & Vegetables	\$ 1,780,681.12	
215 State Administrative Expense	\$ 1,292,067.59	
218 Special Milk	\$ 34,905.23	
219 National School Lunch Program	\$ 29,570,643.60	
220 School Breakfast	\$ 7,782,203.26	
223 TEFAP	\$ 168,610.01	
225 Child Nutrition Meal Pattern TA Funds	\$ 18,951.29	
N01 Summer Food Admin	\$ 38,338.57	
N02 Summer Health Inspections	\$ 2,680.07	
N03 Summer Food Service Projects	\$ 1,097,917.79	
N04 Summer Food Sponsor Admin	\$ 113,918.85	
P01 Child Care Food	\$ 8,068,532.01	
P02 Child Care Sponsor Admin	\$ 635,834.15	
P03 Child Care Cash Commodities	\$ 383,057.29	
P04 Child Care Audit	\$ 54,652.18	
	<b>\$ 51,908,126.92</b>	
<b>Other Funds Revenue</b>		
770 Commodities	\$ 27,610.93	
881 AL Alternative Licensing Inspection Fee	\$ 150.00	
881 EM CANS Educational Materials	\$ -	
881 FD CANS Food Distribution	\$ 5,883.29	
881 HF CANS Handling Fee	\$ 10,654.21	
	<b>\$ 44,298.43</b>	
<b>Revenue</b>		<b>\$ 52,924,936.97</b>
Personal Services	\$ 879,697.53	
Travel	\$ 61,761.00	
Contractual Services	\$ 1,640,154.32	
Supplies and Materials	\$ 32,357.39	
Grants and Subsidies	\$ 50,166,592.36	
Capital Outlay	\$ 10,708.37	
Other	\$ 27,610.93	
Indirect Cost	\$ 106,055.07	
<b>Expenditures</b>		<b>\$ 52,924,936.97</b>